



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"Enriching Lives"

JAMES A. NOYES, Director

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

December 23, 2003

IN REPLY PLEASE
REFER TO FILE: PD-1

TO: Each Supervisor

FROM: James A. Noyes
Director of Public Works

ALAMEDA CORRIDOR EAST (ACE) PROJECT DECEMBER 15, 2003, MEETING

On December 15, 2003, the San Gabriel Valley Council of Governments-ACE Construction Authority held their regular meeting. A copy of the agenda and the adopted minutes of the October 27, 2003, meeting is attached. The following items occurred at the meeting, which are of interest to the County.

Under Agenda Item VI, the ACE Construction Authority Board conducted a public hearing for property acquisitions in El Monte at 11105-11121 East Ramona Boulevard and 11240 East Ramona Boulevard. These properties are needed for the Ramona Boulevard Grade Separation project. The ACE Board adopted resolutions authorizing the commencement of eminent domain proceedings for each of the properties.

Under Agenda Item VII, the ACE Board received an information report from the ACE staff regarding the effect of Governor Schwarzenegger's proposed State budget reductions and the Los Angeles County Metropolitan Transportation Authority's (MTA) recent action to withdraw MTA funds previously approved for the ACE project. The report addresses the effect upon projects that are ready, or near ready, to proceed to construction. The Governor proposes a rescission of \$189 million in overall Traffic Congestion Relief funding previously approved by the California Transportation Commission. ACE staff estimates that the combined rescission of funds from the State and MTA could result in a loss of as much as \$57 million for the ACE project. ACE staff's current recommendation is to proceed with the award of the construction contract for the East End Avenue/Reservoir Street grade separations. The staff further recommends that all pre-advertisement activities (including property acquisitions) proceed on the Temple Avenue Train Diversion and Ramona Boulevard Grade Separation projects, but these projects should not be advertised for construction until the State and MTA funding status is better defined.

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Under Agenda Item VIII, the ACE Board authorized the Chief Executive Officer to execute a contract with Ortiz Enterprises, Inc., for the construction of the East End Avenue and Reservoir Street grade separations in an amount not to exceed \$30,208,600.

Under Agenda Item IX, the ACE Board authorized the Chief Executive Officer to amend the Sunset Avenue grade separation design contract with HNTB Corporation to increase the contract amount by \$150,000 to a new contract value of \$3,515,000 to accommodate widening of Sunset Avenue at Valley Boulevard as requested by the City of Industry.

The next meeting of the ACE Construction Authority Board will be on January 26, 2004, at the Irwindale City Hall at 1 p.m.

GAJ:dp

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Attach

cc: Chief Administrative Office
Executive Office



Alameda Corridor-East Construction Authority

4900 Rivergrade Rd . Ste A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

REGULAR MEETING AGENDA Monday, December 15, 2003, 1 P.M. Irwindale City Hall - Council Chambers 5050 Irwindale Avenue Irwindale, CA 91706

Members of the public may comment on any item on the agenda at the time it is taken up by the Board. We ask that members of the public come forward to be recognized by the Chair and keep their remarks brief. If several persons wish to address the Board on a single item, the Chair may impose a three- minute time limit on individual remarks at the beginning of discussion.

All items set forth on this agenda may be subject to action.

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|------|--|-------------|
| I. | Roll Call and Introductions | |
| II. | Approval of Minutes - Regular Meeting of October 27, 2003 (Pages 1-5) | Action |
| III. | Public Comment | |
| IV. | Chairman's Remarks | Information |
| V. | Chief Executive Officer's Report (Pages 6-11) | Information |
| | Hearings on Resolutions of Necessity for Property Acquisitions for Ramona Blvd. Grade Separation in the City of El Monte (Pages 12-36) | |
| | • Resolution No. 03-11 - 11105-11121 E. Ramona Blvd. El Monte | Action |
| | • Resolution No. 03-12 - 11240 E. Ramona Blvd. El Monte | Action |
| VII. | Contingency Plan for State and MTA Funding Reductions (Pages 37-38) | Information |
| | Approval of East End/Reservoir Grade Separation Construction Contract (Pages 39-40) | Action |
| IX. | Approval of Sunset Avenue Contract Amendment for Design Services with HNTB Corporation (Pages 41-42) | Action |

The ACE Construction Authority is currently constituted of seven (7) member jurisdictions: the City of El Monte, the City of Industry, the City of Montebello, the City of San Gabriel, the City of Pomona, the County of Los Angeles, and the San Gabriel Valley Council of Governments. A San Bernardino County Council of Governments representative is an ex officio Board member.

Each member or alternate has one vote. A quorum of the ACE Construction Authority is no less than four (4) of its total voting membership. Actions taken by the ACE Construction Authority shall be by simple majority of the members present with a quorum in attendance except for personnel actions, the annual budget, matters dealing with the Administrative Code or matters requiring subsequent approval by the SGVCOG, all of which shall require five (5) votes.

- X. Closed Session: The Board will recess to closed session pursuant to Government Code 54956.9(a) for discussions with legal counsel regarding existing litigation
- ACE v Puppi (McDonalds Corp.) Case No. BC278845 Information
 - Margarita Mussenden v Union Pacific Railroad; Gil C Pectol, et al Case No. CG031809; and Possible Action
- Pursuant to government code 54956.9b for discussion regarding anticipated litigation - one matter Possible Action
- XI. Adjournment



**ACE Construction Authority
Regular Board Meeting
October 27, 2003 Minutes**

Chairman Harry Baldwin called the meeting to order at the Irwindale Council Chambers on October 27, 2003 at 1:05 PM.

1. In attendance were:

Harry Baldwin, San Gabriel, Chair
Ernie Gutierrez, El Monte
Gloria Molina, County of Los Angeles
Jack Phillips, Industry
Ed Vasquez, Montebello
Ed Cortez, Pomona
Bob Huff, SGVCOG, Diamond Bar

Staff

Rick Richmond, Chief Executive Officer
Joe Montes, Legal Counsel
Sharon Neely, staff
Deanna Stanley, staff
Cynthia Ambrose, staff
Bruce Armistead, staff
Girish Roy, staff

Guests

Rosa Anderson, Congressman Gary Miller
Rob Van Riel, Senator Nell Soto
Henry Lopez, Foothill Transit
Vijay Kopparam, Caltrans
Donna Lee, Southern California Edison

2. Approval of minutes of meeting of September 22, 2003

A motion was made to approve the September 22, 2003 meeting minutes.
M/S/C: Cortez/Gutierrez/Unanimous

3. Public Comments

There were no public comments.

4. Chairman's Remarks

The Chairman announced that subsequent to the posting of the agenda it was necessary to add an item to the agenda to be discussed under closed session. A motion was made to add a conference with legal counsel to discuss property negotiations necessary for the Nogales Street grade separation in accordance with government code section 54956.8. M/S/C: Vasquez/Gutierrez/Unanimous.

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The Chairman invited the Board to attend SCAG's growth visioning workshop on October 29 at 6PM at South Coast Air Quality Management District offices in Diamond Bar. He also invited the Board to attend the MTA Mobility-21 Conference scheduled for November 17th in at the Westin Bonaventure Hotel in Los Angeles.

5. Chief Executive Officer's Report

Mr. Richmond showed the recently released ACE project video. The video will be updated bi-annually to show construction progress to local officials, state and federal officials. The CEO showed construction progress photos at the Nogales Street grade separation project. He noted the informational material distributed to the Board included an ad for businesses open during construction at the Nogales Street project. Jim Connolly, Bechtel-Korve Program Manager, provided a summary of the program management activities over the last month.

6. Approval of Contract for IRRIS Field Traffic Devices

Bruce Armistead summarized the staff recommendation on page 12 of the agenda and noted that the re-bid of the contract had resulted in two bids within the engineer's estimate. The work includes installation of traffic control devices necessary to implement the IRRIS project, including traffic signal controllers and cabinets, inductive loops, variable message signs and related field communications lines for all of the items. The devices will connect to the City of Pomona central traffic control system, which in turn receives data from the railroad subsystem. A motion was made to authorize the CEO to execute a contract with KDC Inc. dba Dynalectric, for field traffic devices for the Intelligent Roadway Rail Interface System (IRRIS), in an amount not to exceed \$1,989,017. There was no Board discussion. M/S/C:Molina/Gutierrez /Unanimous

7. Approval of Plans, Specifications and Estimates for Temple Avenue Train Diversion Project

Bruce Armistead summarized the staff report on page 14 of the agenda describing the Temple Avenue Train Diversion project located in the City of Pomona. He noted that the project had environmental clearance, PUC approval, and State Water Resources Control Board approval. He noted that the estimated construction cost was \$19-22 million excluding right-of-way costs, and UPRR force account work. There are 13 partial property takes and 5 easements necessary for the completion of the project. It is anticipated that the project will go to bid in November and a contract awarded in February 2004. Construction would be completed by May 2006. A motion was made to approve the plans, specifications and estimates for the Temple Avenue train diversion project located in the City of Pomona, and authorize staff to solicit bids. There was no Board discussion.

M/S/C: Molina/Gutierrez/Unanimous

8. Acceptance of Grade Crossing Safety Improvements Construction and Closeout of Contract No. 02-01A with DW Powell Construction

Mr. Richmond described the staff recommendations on page 16 of the agenda regarding acceptance of DW Powell construction work at 11 grade crossings. The work included a street widening to eliminate a traffic bottleneck, installation of pre-signals, safety medians and sidewalks, other roadway modifications, addition and/or replacement of curbs, gutters, drainage culverts, striping, signs and pavement markings. This work was done in conjunction with UPRR force account work including additional flashing light signals with gates, upgrading of grade crossing control systems and existing signals, relocating warning devices away from roadway lanes, and adding crossing surface panels for sidewalks. He noted that the final DBE amount was 17% meeting the goal of 17%. The final contract value was \$1,471,394 and contract award was \$1,526,572. The local jurisdictions have accepted the work as complete. Upon acceptance of the work by the Board, maintenance responsibilities for these crossings will become the responsibility of the local city and the UPRR. A motion was made to approve the staff recommendations as described on page 16 of the agenda. There was no Board discussion.

M/S/C: Vasquez/Cortez/Unanimous

9. Acceptance of Grade Crossing Safety Improvements Construction and Close out of Contract No. 02-04 with Olivas-Valdez, Inc.

Mr. Richmond described the staff recommendations on page 18 of the agenda regarding acceptance of Olivas Valdez, Inc. for the construction work at Mission Road in San Gabriel. The work consisted of relocation of the grade crossing to a new street alignment, construction of a new intersection with Junipero Serra Drive, grading and paving of the new street, installation of traffic signals, safety medians and sidewalks, addition and/or replacement of streetlights, storm drains, curbs, gutters, striping, signs, pavement markings, landscaping and automatic sprinklers. This work was done in coordination with UPRR force account work that consisted of a new intermediate train control point, new train control tower signal and flashing light signals with gates, upgrading of the train control and grade crossing control systems, undergrounding of signal communication control lines and a new grade crossing surface with concrete panels. He noted that the final DBE goal was 80% (reflecting that the prime contractor is a DBE) and the goal was 20%. The final contract value was \$1,072,653 slightly higher than the contract award of \$1,014,104 as a result of differing site conditions. The maintenance responsibilities for the grade crossing will become the responsibility of the City of San Gabriel and UPRR. A motion was made to approve the staff recommendations as described on page 19 of the agenda. There was no Board discussion. M/S/C: Gutierrez/Cortez/Unanimous

10. Approval Baldwin Avenue Grade Separation Project Definition Report and Property Acquisition Inventory

Mr. Richmond indicated staff was requesting approval of the project definition report for Baldwin. Staff has prepared the property acquisition inventory necessary for the project design and was deferring approval of proceeding with property acquisition pending release of state construction funds previously committed for this project. Girish Roy presented the proposed definition of the Baldwin Avenue grade separation project that included reconstruction of Baldwin Avenue roadway under the railroad, construction of a two-track bridge and cul-de-sac Bessie Avenue. He reviewed the property requirements, budget and schedule. A motion was made to approve the Project Definition Report and property acquisition inventory for the grade separation at Baldwin Avenue in the City of El Monte. There was no Board discussion.

M/S/C: Gutierrez/Cortez/Unanimous

11. Quarterly Report

Mr. Richmond reviewed the Quarterly Progress report beginning on page 27 of the agenda. Phase I costs have been revised to \$427.3 million. The \$16.0 million increase from the last quarter is based upon: \$1.9 million for right-of-way acquisition final settlement and legal costs for the Nogales project; \$13 million for ROW, utilities and construction costs on the Baldwin Ave. project based upon the 30% design level; and \$0.6 million for the Brea Canyon storm drainage pump station changes design costs. Mr. Richmond noted that he is still hopeful to obtain cost reductions in other components of the Phase I project goal of \$410 million. He indicated that the progress report noted schedule delay on: the IRRIS project to due to rebidding the contract; Nogales project due to utility relocation delays; East End/Reservoir project due to UPRR comment delay and ROW acquisition delay; Ramona project due to UPRR/Metrolink request for bridge redesign; and, Baldwin project due to storm drainage mitigation requirements.

12. Closed Session

The Board adjourned to closed session in accordance with Government Code 54956.9(a) for discussions with legal counsel regarding existing litigation with:

- Grachik Shakhpazyan et al.; and
- Bruce Allyn

The Board also adjourned to closed session pursuant to Government Code 54956.9(b).

The Board also adjourned to closed session in accordance with Government Code 54956.8 to conference with real property negotiators concerning property on the east side of Nogales Street, south of Valley Blvd in the City of Industry.

The Board returned from closed session and made the following announcements:

- A motion was made to reject the UPRR claim.
M/S/C: Molina/Gutierriz/Unanimous
- A motion was made to provide legal counsel representation for Rick Richmond and Mark Mendoza in their official capacity representing the Authority.
M/S/C: Cortez/Vasquez/Unanimous
- A motion was made for a \$405,000 settlement for the property located on east side of Nogales Street, south of Valley Blvd. in the City of Industry.
M/S/C: Gutierrez/Cortez/Unanimous

There being no further business, the meeting was adjourned at 2:30 PM.